



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/022,979	02/12/98	NIIDA	

005514 LM01/0802  
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NEW YORK NY 10112

JONES, P EXAMINER

ART UNIT PAPER NUMBER

08/02/00  
DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/022,979

Applicant(s)  
Niida et al

Examiner  
Prenell Jones

Group Art Unit  
2735



☒ Responsive to communication(s) filed on Feb 12, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-42 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-42 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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### *Specification*

1. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

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***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 23 and 28 recites the limitation "first communication means and second communication means" in line 11-13 of claim 23 and in line 6-11 of claim 28. There is insufficient antecedent basis for this limitation in the claim. Terminology of communication means lacks antecedent basis.

Claims 24-27 and 29-41 either depend directly or indirectly on claim 23 and 28 respectively, therefore, claims 24-27 and 29-41 are rejected for the same reasons that claim 23 and 28 are rejected.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

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6. Claims 1, 3-5, 6, 8-13, 18 and 42 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Rosenberg et al.

Regarding claims 1, 3-6, 8-13, 18 and 42, Rosenberg discloses (Abstract, col. 2, col. 6, col. 7)a computer architecture associated with multiple communication systems, multiple communication interface devices that accommodate various protocol standards (RS-422, RS-232, USB) associated with a common control system and encoding/decoding means for encoding/decoding data.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was

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made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg et al in view of Hsieh et al and Ellenby et al.

Regarding claim 2, Rosenberg discloses (Abstract, col. 1 thru col. 2, col. 6 line 18-46) the use of a user interacting via multiple computer system peripherals and multiple interface devices which use multiple host computers (various home video game systems) wherein (col. 4, line 13-17) host command data is received, data provided according to (col. 7, line 29-65) communication protocols such as RS-232/RS-422/USB standards for the purpose of communicating between communication systems. However, Rosenberg is silent on the use of a communication system based on an IEEE 1394 standard. In analogous art, Hsieh discloses using the IEEE 1394 standard for compression, storage, transfer of consumer and digital video signals as being well known in the art. Although, Hsieh suggest that the IEEE standard is designed only for transfer of video signals only, in analogous art, Ellenby (col. 5, line 57-60) discloses generating digital video information in the form of IEEE 1394 data in an electro-optic system that processes data and that the IEEE 1394 could be implemented using other digital interfaces available now or to be developed in the future. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to implement the teachings of Hsieh and

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Ellenby because they both suggest using the IEEE/ IEEE 1394 standard in the communication between communication systems into the invention of Rosenberg because he suggest using multiple communication devices/protocols that accommodate or provide operatability associated with a computer system.

Claim 7 include the limitation of claim 6 and claim 2, therefore, claim 7 is rejected for the same reason that claim 6 and claim 2 are rejected.

Claim 15 include the limitations of claim 14 and claim 3, therefore, claim 15 is rejected for the same reason that claim 14 and claim 3 are rejected.

Claim 16 include the limitations of claim 14 and claim 4, therefore, claim 16 is rejected for the same reason that claim 14 and claim 4 are rejected.

Claim 17 include the limitations of claim 14 and claim 5, therefore, claim 17 is rejected for the same reason that claim 14 and claim 5 are rejected.

Claim 19 include the limitations of claim 18 and claim 2, therefore, claim 19 is rejected for the same reason that claim 18 and claim 2 are rejected.

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Claim 20 include the limitations of claim 19 and claim 3, therefore, claim 20 is rejected for the same reason that claim 19 and claim 3 are rejected.

Claim 21 include the limitations of claim 19 and claim 4, therefore, claim 21 is rejected for the same reason that claim 19 and claim 4 are rejected.

Claim 22 include the limitations of claim 19 and claim 5, therefore, claim 22 is rejected for the same reason that claim 19 and claim 5 are rejected.

Claim 24 include the limitations of claim 23 and claim 2, therefore, claim 24 is rejected for the same reason that claim 23 and claim 2 are rejected.

Claim 25 include the limitations of claim 24 and claim 3, therefore, claim 25 is rejected for the same reason that claim 24 and claim 3 are rejected.

Claim 26 include the limitations of claim 24 and claim 4, therefore, claim 26 is rejected for the same reason that claim 18 and claim 24 are rejected.

Claim 27 include the limitations of claim 24 and claim 5, therefore, claim 27 is rejected for the same reason that claim 24 and claim 5 are rejected.



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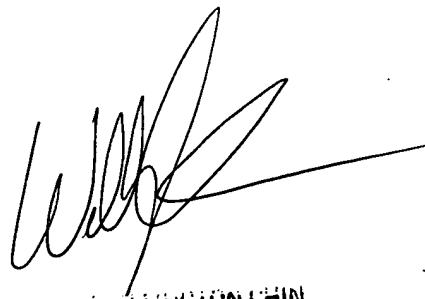

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell Jones whose telephone number is (703) 305-0630. The examiner can normally be reached on Monday thru Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik, can be reached on (703) 305-4704. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Prenell Jones

July 31, 2000



WELLINGTON CHIN  
SUPERVISORY PATENT EXAMINER  
GROUP 2700